

September 12, 2005

**Attention Business Owner/Realtor**

The Milpitas City Council recently adopted amendments to the Sign Ordinance effective **September 1, 2005**, which affect all temporary promotional signs/banners, grand opening and open house signs. We have listed a summary of amendments that may pertain to the way your business uses signs:

**All temporary promotional signs/banners and grand opening signs are required to be registered with the City at no cost to you, prior to being displayed (an application form is attached or you can fill it out online @ [www.ci.milpitas.ca.gov](http://www.ci.milpitas.ca.gov)). In addition, such signs cannot be displayed for more than 30 calendar days for the business' first promotional event and 15 calendar days for each subsequent event. The exact language is provided below:**

**Temporary Promotional Sign definition X1-30.2.55-** shall include temporary balloon signs, banners, and similar advertising devices when used only for special promotional events (see example sketch # 1 attached).

**Temporary Promotional Sign X1-30-3.10 (u)**

(1) Temporary promotional signs permitted pursuant to an administrative Permit may be placed on a business for a maximum of thirty-(30) consecutive calendar days per permit for the first promotional event for a business and a maximum of fifteen (15) consecutive calendar days for all subsequent events for a business (see example sketch #1 attached).

(2) Temporary promotional signs will be permitted a maximum of four times per calendar year per business. Display occurrences shall be interrupted by a minimum of 30 calendar days (see example sketch #1 attached).

**Grand Opening Signs XI-30-2.22**

Grand Opening Sign shall mean and include banners, pennants, flags, balloons, and similar advertising devices when used only for bone-fide grand-opening functions, new ownership, name change or the reopening of a business that has completely closed for remodeling for at least two weeks (see example sketch # 1 & 9 attached).

**Open House Directional Signs XI-30-3.10 (o):**

- (1) Shall be no larger than six (6) square feet in sign area per side.
- (2) Shall not be placed within the vehicular or pedestrian traveled portion of the public right-of-way, except as allowed under (3) below.
- (3) May be placed within the public right-of-way in the following manner:  
First, in the unpaved, parkstrip area between the face of the curb and the public sidewalk, however, only in the intersection area between the end of the curb return and that point along the curbline that is fifteen (15) feet distant from the end of the curb return. If no such parkstrip, or other paved or unpaved area in the public-right-of-way exists for the alternative placement of the sign so as to minimize intrusion upon the four feet minimum handicap accessible pathway, then said sign may be placed on the sidewalk as above within the public right-of-way, provided that the width of the pedestrian and handicap accessible pathway shall not be reduced by the sign placement to less than four feet (see example sketch #6 & 8 attached).
- (4) Shall not be placed:
  - a. In any curb return.
  - b. In any bus or light rail stop zone.
  - c. Within two feet of any driveway or curbcut access ramp.
  - d. Between light rail tracks and curb.
  - e. Adjacent to or within four feet of any disabled parking zone.
  - f. On any median strip.
  - g. If over three feet tall within a "Line of Sight Triangle" which shall mean a triangle of land formed by two intersecting streets, where two sides of the triangle consist of the curbline of the intersecting streets and the third side of the triangle is a straight line drawn between points on each curbline located forty-five feet from the intersection where the prolongation of the curbline meet (see example sketch #7 attached).
- (5) Shall not be attached in any manner to any other structure, such as trees, lampposts, streetlights, utility poles, utility cabinets, street or traffic signs, benches, hydrants and mailboxes if said sign is placed in the public right-of-way such as a sidewalk area (see example sketch #4, 6 & 8 attached).
- (6) Said signs shall only be allowed on Saturdays, Sundays and holidays.
- (3) (7) A maximum of two signs shall be located at a given intersection for each property advertised.

**\* All signs placed upon public property may be removed and destroyed per Section X-30-3.07 (Open House Directional Signs and Garage Sales Signs are exempt if properly placed as defined above).**

**For your convenience we have arranged Sign Ordinance Presentations to learn more:**

October 27, 2005	7:30a.m.	Presentation to Chamber of Commerce 828 N. Hillview Drive, Milpitas
November 3, 2005	8:30a.m.	Presentation to Board of Realtors Liou's House, 1245 Jacklin Rd, Milpitas
November 16, 2005	12:00p.m. - 1:30 p.m.	Presentation Open to all Committee Room, 455 E. Calaveras Blvd, Milpitas

If you are not able to attend these scheduled presentations, staff is available upon request. To arrange a presentation please contact Gloria Anaya (408)-586-3075.

The Housing and Neighborhood Preservation Division is confident that as a responsible businessperson you will comply with the Sign Ordinance amendments and we thank you in advance. However, if you are in violation of the ordinance, you will receive a certified notice of violation. If you have any questions, please contact me at (408) 586-3075.

Sincerely,

Gloria Anaya  
Sr. Housing and Neighborhood Preservation Specialist

Attachments: 10 Sign Example Sketches and No Fee Sign Application Form